

MHAU080013322024



R.C.S./84/2024

Syed Abdulla Syed Amir Ali Vs. Syed Rahim Syed Qutubuddin

ORDER BELOW EXH.68

1] By this application filed by plaintiffs for condonation of delay for filing setting aside suit dismissed order against defendants no.3, 4, 5, 8, 9 and 11 dated 11.11.2016. Sufficient opportunities were given to defendants for filing say, but they failed to file say, therefore, say no order has been passed on 25.08.2025 against defendants.

2] The application is supported by an affidavit. Perused the record and proceeding of the case. It appears that in spite of specific directions, the plaintiffs have not taken steps against defendants No.3, 4, 5, 8, 9 and 11, therefore, suit was dismissed to the extent of aforesaid defendants vide order dated 11.11.2016 passed below Exh.1. The plaintiffs vide pursis (Exh.70) has given details of delay caused in filing present application i.e. delay of 9 years, 6 months and 6 days. The suit is in respect of immovable properties for partition, separate possession and other reliefs. After considering the reasons in the application and nature of suit, the aforesaid defendants are necessary parties to the suit. I find presence of those defendants are necessary to adjudicate the suit on merits. The delay caused is sufficiently explained. There is justifiable reasons for

grant of application for condonation of delay. Hence, in the interest of justice and in order to avoid complications and technical issue, application is liable to be allowed by imposing cost. Therefore, application deserves to be allowed subject to imposing cost. Hence the order :

Order

- 1] Application for condonation of delay is allowed subject to cost of Rs.8,000/- (Rs. Eight Thousand only).
- 2] Out of aforesaid cost Rs.4000/- (Rs. Four Thousand only) be paid to the Taluka Legal Services Authority, Sillod and remaining Rs.4000/- (Rs. Four Thousand only) to be paid to the rest of defendants excluding defendants No.3, 4, 5, 8, 9 and 11.
- 3] The plaintiffs are directed to deposit cost on or before next date. If cost not paid, then the application automatically rejected.

(Typed and pronounce in open court).

Date : 02.02.2026.

(S. S. Deshmukh)
Civil Judge, (Senior Division)
Sillod.

CERTIFICATE

I affirm that the contents of this PDF file order are same word to word, as per original order

- | | |
|--|--------------------------------|
| 1) Name of Stenographer | A.B. Pawar, Steno (Grade-II) |
| 2) Name of Court | :- Civil Court (S.D.), Sillod. |
| 3) Date | :- 02.02.2026 |
| 4) Order signed by the
presiding officer on | :- 02.02.2026 |
| 5) Order uploaded on | :- 02.02.2026 |